

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SHIRLEY KOSAKOSKI,	)	
	)	Civil Action
Plaintiff	)	No. 12-cv-00038
	)	
vs.	)	
	)	
THE PNC FINANCIAL SERVICES	)	
GROUP, INC.,	)	
	)	
Defendant	)	

O R D E R

NOW, this 26<sup>th</sup> day of September, 2013, upon  
consideration of the following documents:

- (1) Defendant's Motion for Summary Judgment filed January 23, 2013 (Document 34), together with
  - (A) Defendant's Separate Statement of Undisputed, Material Facts in Support of Its Motion for Summary Judgment (Document 35); and
  - (B) Defendant's Brief in Support of Its Motion for Summary Judgment (Document 36);
- (2) Plaintiff's Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment, which memorandum was filed February 18, 2013 (Document 42-1), together with
  - (A) Plaintiff's Response in Opposition to Defendant's Separate Statement of Undisputed, Material Facts in Support of Its Motion for Summary Judgment (Document 42);
- (3) Defendant's Reply Brief in Support of Its Motion for Summary Judgment, which reply brief was filed on March 1, 2013 (Document 46); and
- (4) Civil Action Complaint filed January 4, 2012 (Document 1);

and for the reasons set forth in the accompanying Opinion,

IT IS ORDERED that Defendant's Motion for Summary Judgment is granted in part and denied in part.

IT IS FURTHER ORDERED that defendant's motion is granted to the extent that it seeks summary judgment on Counts I (Age Discrimination in Employment Act) and IV (Title VII - Gender Discrimination) of plaintiff's Civil Action Complaint.

IT IS FURTHER ORDERED that Counts I and IV are dismissed with prejudice from plaintiff's Civil Action Complaint.

IT IS FURTHER ORDERED that defendant's motion is granted to the extent that it seeks summary judgment on that portion of Count V (Pennsylvania Human Relations Act) of plaintiff's Civil Action Complaint alleging age and gender discrimination.

IT IS FURTHER ORDERED that plaintiff's claims for age and gender discrimination are dismissed from Count V of plaintiff's Civil Action Complaint.

IT IS FURTHER ORDERED that in all other respects defendant's motion for summary judgment is denied.

BY THE COURT:

/s/ James Knoll Gardner  
James Knoll Gardner  
United States District Judge